

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Ansetti & Associates, LLC  
VINCENT ANSETTI, ESQ. (007992005)  
551 Summit Avenue  
Jersey City, NJ 07305  
T:(201) 377-2277  
ATTORNEYS FOR DEBTOR  
email:vincent@ansettilaw.com

In Re:  
KENNETH McCARTHY



Order Filed on August 19, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-29996  
Hearing Date: 8/19/20  
Chapter: 13  
Judge: CMG

**ORDER AUTHORIZING  
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is  
**ORDERED.**

**DATED: August 19, 2020**

A handwritten signature in cursive script, reading "Christine M. Gravelle".  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 907 BOND STREET, ASBURY PARK, NJ 07712, New Jersey (the Real Property).

**IT IS** hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Melissa Shears

Amount to be paid: \$10,253.95 which is 4% of the sales price

Services rendered: Real Estate Property Listing & Sale

**OR:** ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$\_\_\_\_\_ claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:
  1. No proceeds will be available to pay any other creditors as this is a short sale
  2. Debtor is granted a stay waiver under Bankruptcy Rule 6004(h)

rev.8/1/15

## Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
Kenneth McCarthy  
DebtorCase No. 19-29996-CMG  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 20, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 22, 2020.

db Kenneth McCarthy, 80 Cliffedge Way, Red Bank, NJ 07701-5211

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 22, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 20, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Aleisha Candace Jennings on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust  
ajennings@rasflaw.com

Andrew L. Spivack on behalf of Creditor SANTANDER BANK, N.A. nj.bkecf@fedphe.com

Jill Manzo on behalf of Creditor SELECT PORTFOLIO SERVICING, INC., AS SERVICER FOR U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, FOR THE HOLDERS OF THE CIM TRUST 2019-R4, MORTGAGE BACKED NOTES, SERIES 2019-R4 bankruptcy@feinsuch.com

Jill Manzo on behalf of Creditor Select Portfolio Servicing, Inc., as servicer for LIBERTY REVOLVING TRUST bankruptcy@feinsuch.com

Jonathan C. Schwalb on behalf of Creditor Selene Finance LP as servicer for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust bankruptcy@friedmanvartolo.com

Kevin Gordon McDonald on behalf of Creditor Legacy Mortgage Asset Trust 2019-RPL3.  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com

R. A. Lebron on behalf of Creditor Select Portfolio Servicing, Inc., as servicer for LIBERTY REVOLVING TRUST bankruptcy@feinsuch.com

Robert Davidow on behalf of Creditor SANTANDER BANK, N.A. nj.bkecf@fedphe.com

Robert P. Saltzman on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust c/o Rushmore Loan Management Services dnj@pbslaw.org

Sherri Jennifer Smith on behalf of Creditor SANTANDER BANK, N.A. nj.bkecf@fedphe.com,  
nj.bkecf@fedphe.com

Stuart H. West on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust c/o Rushmore Loan Management Services swest@pbslaw.org

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

Vincent Ansetti on behalf of Debtor Kenneth McCarthy vincent@ansettilaw.com,  
vincent@ansettilaw.comVincent Ansetti on behalf of Realtor Melissa Anne Shears vincent@ansettilaw.com,  
vincent@ansettilaw.com

TOTAL: 15